

**UNITED STATES DISTRICT COURT**  
**District of New Jersey**

CHAMBERS OF  
**JOSE L. LINARES**  
JUDGE

MARTIN LUTHER KING JR.  
FEDERAL BUILDING & U.S. COURTHOUSE  
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973-645-6042

June 28, 2005

**NOT FOR PUBLICATION**

**LETTER-OPINION & ORDER**

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**Re: Doumit v. Weichert Realtors, et al.**  
**Civil Action No.: 04-CV-4319 (JLL)**

Dear Counsel:

This action was dismissed on May 16, 2005 under Federal Rules of Civil Procedure 8(a) and 12(b)(6). Plaintiff filed a notice of appeal on June 17, 2005. On that same day, he filed, with this Court, an application to proceed in forma pauperis.

Plaintiff's application is DENIED. For the reasons set forth in the Court's Letter-Opinion and Order of May 16, 2005, and because the instant appeal does not set forth anything other than the same allegations that warranted dismissal in the first instance, the Court certifies that plaintiff's appeal is not taken in objectively good faith. See 28 U.S.C. 1915(a)(3); Fed. R. App. P. 24(a)(3)(A). Allowing the appeal to proceed without prepayment of the applicable docketing fee would constitute a waste of highly limited public resources. Cf. Doumit v. Coldwell Banker

Realtors, Nos. 05-2061, 05-2505 (3d Cir. June 22, 2005) (dismissing strikingly similar appeal filed by plaintiff as frivolous under 28 U.S.C. § 1915(e)(2)(B)). Plaintiff is entitled, of course, to file a motion to proceed in forma pauperis with the Court of Appeals. See 3rd Cir. LAR 3.3(b).

SO ORDERED.

/s/ Jose L. Linares  
United States District Judge